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REMARKS / DISCUSSION OF ISSUES

Claims 22-23, 28-32, and 37-49 are pending in the application. Claims 24-27 and 33-36 are canceled herein, and claims 42-50 are added herein.

The Office action rejects claims 22-23 and 30-32 under 35 U.S.C. 103(a) over van der Schaar et al. (USP 6,788,740, hereinafter Schaar) and Guedalia (USP 6,536,043). The applicant respectfully traverses this rejection.

Claim 22, upon which claims 23 and 28-30 depend, claims a method for channel surfing that includes receiving a plurality of current broadcast signals at a first quality level and broadcasting a plurality of corresponding surfing signals that enable viewing at a second quality level that is substantially poorer than the first quality level, to enable channel surfing of the surfing signals at the same time that the broadcast signals are being broadcast.

Claim 31, upon which claims 32 and 37-38 depend, claims a server that includes a processor that processes a plurality of broadcast signals to form a corresponding plurality of surfing signals that enable viewing at a quality level that is substantially poorer than the quality level of the broadcast signals, and transmission system that broadcasts the plurality of surfing signals concurrent in time with the corresponding plurality of broadcast signals, to enable channel surfing while the plurality of broadcast signals are being broadcast

Neither Schaar nor Guedalia teach or suggest providing a plurality of low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing.

Schaar teaches conventional MPEG-4 encoding of a broadcast signal to allow transmission of the signal over an Internet connection, but does not address providing a low-quality signal, and does not address broadcasting a plurality of signals to enable channel surfing at the same time that the broadcasts occur.

Guedalia teaches convention FGS (Fine Granular Scalability) encoding of a video signal, and selective transmission of enhancement blocks based on available

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bandwidth. Guedalia does not address broadcasting a plurality of signals to enable channel surfing at the same time that the broadcasts occur.

Because neither Schaar nor Guedalia, individually or collectively, teaches or suggests providing a plurality of low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing, as claimed in claims 22 and 31, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 22-23 and 30-32 under 35 U.S.C. 103(a) over Schaar and Guedalia.

The Office action rejects claims 28 and 37 under 35 U.S.C. 103(a) over Schaar, Guedalia, and QuickTime Showcase, circa 1999. The applicant respectfully traverses this rejection.

Claims 28 and 37 are dependent upon claims 22 and 31, respectively. As noted above, neither Schaar nor Guedalia teaches or suggests providing a plurality of low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing, as claimed in claims 22 and 31.

QuickTime Showcase also does not teach providing a plurality of low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing.

QuickTime Showcase provides hyperlinks to a plurality of encoded broadcast channels, but is silent with regard to providing low-quality signals, is silent with regard to whether the encoded broadcast channels are available concurrently in time with the original broadcasts, and is silent with regard to providing such low-quality signals to enable channel surfing.

The Office action asserts that it would be obvious to combine Schaar, Guedalia, and QuickTime, but fails to support this assertion, and fails to demonstrate how such a combination would lead to the applicant's invention. Each of these references fails to address channel surfing, and fails to address providing a plurality of low-quality signals to facilitate such channel surfing, and therefore a combination of these references, absent the applicant's teachings, will fail to provide a plurality of

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low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing.

Because each of Schaar, Guedalia, and QuickTime fails to teach providing a plurality of low-quality surfing signals concurrently with the broadcast of high-quality signals to enable channel surfing, as specifically claimed in claims 22 and 31, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 28 and 37 under 35 U.S.C. 103(a) over Schaar, Guedalia, and QuickTime Showcase.

The Office action rejects claims 39-41 under 35 U.S.C. 103(a) over Tracton (USP 6,470,378) and QuickTime Showcase. The applicant respectfully traverses this rejection.

Claim 39, upon which claims 40-41 depend, claims a portable device that includes a receiver that accesses a server having multiple associated Internet addresses, each address corresponding to an associated broadcast channel, and a browser that accesses multiple Internet addresses to provide sequential images corresponding to each corresponding broadcast channel.

Neither Tracton nor QuickTime Showcase teaches or suggests a browser that accesses multiple Internet addresses to provide sequential images corresponding to each corresponding broadcast channel.

Tracton teaches a portable device that instructs a server of its capabilities, and receives downloaded content material based on the portable device's capabilities. Tracton does not address a browser, and does not address a browser that accesses multiple Internet addresses to provide sequential images corresponding to broadcast channels.

QuickTime teaches providing multiple Internet addresses for broadcast channels, but does not teach a browser that accesses multiple Internet addresses to provide sequential images corresponding to broadcast channels.

The Office action asserts that a combination of Tracton and QuickTime Showcase teaches the applicant's claimed invention, but fails to identify where either

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Tracton or QuickTime Showcase teaches a browser that accesses multiple Internet addresses to provide sequential images corresponding to broadcast channels.

MPEP 2142 clearly states:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) *must teach or suggest all the claim limitations*... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Because neither Tracton nor QuickTime Showcase teaches a browser that accesses multiple Internet addresses to provide sequential images corresponding to broadcast channels, as specifically claimed in claim 39, the applicant respectfully maintains that the rejection of claims 39-41 under 35 U.S.C. 103(a) over Tracton and QuickTime Showcase is unfounded, per MPEP 2142.

In the interest of advancing prosecution, the following comments are offered with respect to newly added claims 42-50.

Claim 42, upon which claims 43-50 depend, claims a method that includes encoding broadcast signals from at least one channel into surfing signals to at most a second quality level that is substantially poorer than the quality level of the broadcast signals, and broadcasting the surfing signals substantially concurrent in time with the corresponding broadcast signals.

Each of the prior art references cited teach encoding an original signal using a technique that substantially preserves the quality of the original image. Although MPEG is not a lossless encoding scheme, it has been developed with the specific aim of compressing video information with a minimal loss of quality.

Although schemes such as FGS have been developed to enable less-than-full-quality images to be transmitted, these schemes are configured to perform an encoding to the highest achievable quality, followed by a selective transmission of fewer than all of the encoded blocks. In the applicant's claimed invention, the encoding is purposefully limited to a substantially poorer quality, because the encoding is specifically designed to facilitate channel surfing.

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Because the prior art does not teach encoding broadcast signals from at least one channel into surfing signals to at most a second quality level that is substantially poorer than the quality level of the broadcast signals, and broadcasting the surfing signals substantially concurrent in time with the corresponding broadcast signals, the applicant respectfully maintains that claims 42-50 are patentable over the prior art.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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